

GAU 1723

PTO/SB/21 (12-97)

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TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

	Serial Number	09/275,534	
	File Date	March 24, 1999	
	First Named Inventor	Peter JAHN	
	Group Art Unit	1723	
	Examiner Name	D. Sorkin	
Total Number of Pages in This Submission		Attorney Docket Number	Bayer 10,168-WCG

ENCLOSURES (check all that apply)

- | | | |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment / Response
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
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<input checked="" type="checkbox"/> Information Disclosure Statement
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)
<input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition Routing Slip(PTO/SB/69) and Accompanying Petition
<input type="checkbox"/> To convert a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Small Entity Statement
<input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
- European Search Report
- Form PTO-1449, citing and annexing 9 references and 1 English-language counterpart |
|---|--|--|

Remarks:

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	William C. Gerstenzang Morris, McLaughlin & Marcus, P.A.		
Signature			Reg. No. 27,552
Date	June 22, 2000		

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to : Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: June 22, 2000.

Typed or printed name	William C. Gerstenzang		
Signature		Date	June 22, 2000

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BAYER 10,168-WCG
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Peter JAHN; Helmut BROD; Klemens KOHLGRUBER
SERIAL NO. : 09/275,534
FILED : March 24, 1999
FOR : STATIC MIXER MODULE
ART UNIT : 1723
EXAMINER : D. Sorkin

Handwritten signature/initials

June 21, 2000

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

SIR:

Pursuant to 37 CFR §§ 1.56, 1.97 and 1.98, Applicants respectfully request that the Examiner consider the references listed on the attached Form PTO-1449.

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I. Timeliness, Fees and Certifications in lieu of Fees

- ☐ A. This information disclosure statement is being filed within three months of the filing date of the application, or within three months of entry into the national stage, or before the mailing of a first Office Action on the merits. Pursuant to 37 CFR § 1.97(b), consideration of this information disclosure statement does not require a fee or a statement under 37 CFR § 1.97(e). However, should the Assistant Commissioner determine that a fee is, in fact, due, the Assistant

Commissioner is hereby authorized to charge the fee to Deposit Account No. 14-1263.

- ☐ B. This information disclosure statement is being filed after the period in A above, but before the mailing of either a final action or a notice of allowance. Pursuant to 37 CFR § 1.97(c), consideration of this information disclosure statement requires a fee or a statement under 37 CFR § 1.97(e):
 - ☐ 1. The Assistant Commissioner is hereby authorized to charge the fee set forth in 37 CFR § 1.17(p) to Deposit Account No. 14-1263.
 - ☒ 2. Applicants hereby state that each item of information contained in this information disclosure statement, or a counterpart thereof, was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
 - ☐ 3. Applicants hereby state that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 CFR § 1.56 more than three months prior to the filing of this information disclosure statement.
- ☐ C. This information disclosure statement is being filed after the period specified in B above, but on or before the payment of the issue fee. Pursuant to 37 CFR § 1.97(d), consideration of this information disclosure statement requires a petition, which Applicants hereby request, and payment of the petition fee, which is set

forth in 37 CFR § 1.17(i), and which the Assistant Commissioner is hereby authorized to charge to Deposit Account No. 14-1263. Consideration of this information disclosure statement also requires a statement under 37 CFR § 1.97(e):

- ☐ 1. Applicants hereby state that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
- ☐ 2. Applicants hereby state that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 CFR § 1.56 more than three months prior to the filing of this information disclosure statement.

II. Copies of Listed References

- ☒ A. Copies of all references listed on the attached Form PTO-1449 are being supplied.
- ☐ B. Copies of all references listed on the attached Form PTO-1449 have already been supplied during the prosecution of prior application Serial No. ____, filed ____, from which the present application claims priority pursuant to 35 USC § 120. Therefore, pursuant to 37 CFR § 1.98(d), copies of the references listed on the attached Form PTO-1449 are not now being supplied.
- ☐ C. This application is a PCT national stage application, all references listed on the

attached Form PTO-1449 were cited in the international search report, and PCT/DO/EO/903 indicates that both the international search report and the copies of the references listed on the attached Form PTO-1449 are in this national stage file. Therefore, copies of the references listed on the attached Form PTO-1449 are not now being supplied.

III. Concise Statement of Relevance

- ☐ A. A concise statement of the relevance of all references listed on the attached Form PTO-1449 that are *not in the English language*, is being provided on a separate sheet.
- ☒ B. All references listed on the attached Form PTO-1449 were cited in the search report issued by the European Patent Office, and an English-language version of that search report, which indicates the degree of relevance found by that Patent Office, is attached.

The Examiner will note that English language counterparts of non-English references are enclosed, as follows:

U.S. Patent 4,497,753 = EP 0070 915

The Examiner will also note that U.S. 4,902,418, cited by the Examiner on Form PTO-892, is an English-language counterpart of EP 0226788.

- ☒ C. This application is a PCT national stage application, all references listed on the attached Form PTO-1449 were cited in the international search report, and an English-language version of that search report, which indicates the degree of relevance found by the International Search Authority, is attached.



IV. Additional Information

- ☐ A. In addition to the references listed on the attached Form PTO-1449, Applicants wish to bring to the attention of the Examiner the following abandoned or co-pending U.S. patent applications:

[Pursuant to 37 CFR § 1.98(a)(2)(iii), copies of these applications are not being submitted.]

- ☐ B. In addition of the references listed on the attached Form PTO-1449, Applicants wish to bring to the attention of the Examiner the information provided on the attached sheet.

Consideration of the foregoing in relation to this application is respectfully requested.

Respectfully submitted,

NORRIS MCLAUGHLIN & MARCUS, P.A.

By

William C. Gerstenzang
Reg. No. 27,552

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Tarrytown, New York 10591-5144

(914) 332-1700

CERTIFICATE OF MAILING

I hereby certify that the foregoing Information Disclosure Statement and the accompanying Concise Statement of Relevance of Non-English References, Additional Information, Form PTO-1449, 1 Sheet(s), 1 Search Report(s), 9 reference(s), and 1 English-language counterpart are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date indicated below:

Date:

By

6/22/00

William C. Gerstenzang